

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO.: 1984CV01651

JOHN DOE AND JANE DOE,
INDIVIDUALLY AND ON BEHALF OF
ALL OTHERS SIMILARLY SITUATED,

Plaintiffs,

v.

PARTNERS HEALTHCARE SYSTEM,
INC.; THE GENERAL HOSPITAL
CORPORATION d/b/a
MASSACHUSETTS GENERAL
HOSPITAL; BRIGHAM HEALTH, INC.;
DANA-FARBER CANCER INSTITUTE,
INC.,

Defendants

**[PROPOSED] ORDER OF PRELIMINARY
APPROVAL**

WHEREAS, a Settlement Agreement, dated as of August 11, 2021 (the “Settlement Agreement”), was made and entered into by and among the following Settling Parties: (i) John Doe and Jane Doe (“Representative Plaintiffs”), individually and on behalf of the Settlement Class Members (as further defined in the Settlement Agreement), by and through Jason “Jay” Barnes and Eric Johnson of the law firm Simmons, Hanly Conroy; J. Michael Connolly of the law firm Kenney & Connolly P.C., Paul R. Kiesel, Jeffrey A. Koncius, and Nicole Ramirez of the law firm Kiesel Law LLP, Stephen M. Gorny and Christopher D. Dandurand of the law firm The Gorny Law Firm P.C., and Amy Gunn and Elizabeth Lenivy of The Simon Law Firm, P.C. (collectively, “Proposed Settlement Class Counsel”); and (ii) Partners Healthcare System, Inc. (now Mass General Brigham Incorporated) and its owned and operated affiliates, including the General Hospital Corporation d/b/a Massachusetts General Hospital (“MGH”), Brigham Health, Inc. (“BWH”), and, separately, the Dana-Farber Cancer Institute (“DFCI”) (collectively, the “Defendants” as further defined in the Settlement Agreement), for the benefit of all Released Parties (as defined in the Settlement Agreement), by and through the Defendants' counsel of record, Mark S. Melodia, Michael T. Maroney, and Christopher M. Iaquinto, of Holland & Knight LLP, and

NOW THEREFORE, having reviewed and considered the submissions presented with respect to the settlement set forth in the Settlement Agreement and the record in these proceedings, having heard and considered the evidence presented by the parties and the arguments of counsel, having determined preliminarily that the settlement set forth in the Settlement Agreement is fair, reasonable, adequate, and in the best interests of the Settlement Class;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. The Court incorporates by reference the definitions set forth in the Settlement Agreement.
2. The Court finds it has personal and subject-matter jurisdiction over this matter, the Settling Parties, and all Settlement Class Members.
3. The Court certifies, for settlement purposes only, the Settlement Class.
4. The Court appoints Proposed Lead Class Counsel as Class Counsel for the Settlement Class.
5. The Court appoints Representative Plaintiffs as class representatives.
6. The Court appoints the Settlement Administrator and orders it to provide notice and perform services as set forth in the Settlement Agreement.
7. The Court orders defendants to pay the First Settlement Fund Payment as set forth in the Settlement Agreement.
8. The Court orders any Settlement Class Members to make claims and/or object in the manner and in the time frame set forth by the Settlement Agreement.
9. The Court sets a date of January 18, 2022 at 2:00 pm in the Suffolk County Courthouse, Courtroom 1309, located at 3 Pemberton Square, Boston, MA 02108 for a final fairness hearing. Interested parties may also appear via Zoom (Meeting ID: 161 7623 4752).

SO ORDERED.